

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

NANCY ENGLAR, et al.,

Plaintiffs,

Civil Action No.

04-CV-73977, 04-CV-73957

vs.

CHIEF JUDGE LINDA DAVIS
*of the 41B District Court, individually and in
her official capacity.*

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Defendant.

**ORDER DENYING PLAINTIFFS' MOTION TO CORRECT SCHEDULING ORDER
(Dkt. No. 105)**

On July 13, 2011, Plaintiffs Patricia Barachkov, Nancy Englar and Carol Diehl ("Plaintiffs") filed a Motion to Correct Scheduling Order. (Dkt. No. 105.) The current Amended Scheduling Order provides that motions in limine are due by October 17, 2011, with a hearing on the motions set for November 30, 2011. Plaintiffs argue that there is no need to provide for motions in limine because evidentiary issues were resolved in previous motions in limine filed on July 29, 2010. (Case No. 04-73977, Dkt. Nos. 101, 102, 103 and 104.) Plaintiffs also argue that neither party has sought further motions in limine.

The previous motions in limine dealt exclusively with the deposition testimony of Judge Cannon. The July 8, 2010 Scheduling Order specifically requested "Motion in limine (Judge Cannon Testimony)" (Scheduling Order, ¶ 8) (Case No. 04-73977, Dkt. No. 100.) Further, the Joint Final Pretrial Order (Dkt. No. 91) lists numerous evidentiary issues, many of which can

be addressed through motions in limine.

The previous motions in limine in this case dealt solely with the admissibility of certain portions of Judge Cannon's deposition testimony. Other evidentiary issues remain to be dealt with prior to trial. Accordingly, Plaintiffs' Motion to Correct Scheduling Order is **DENIED**.

The parties are cautioned that Local Rule 7.1(a) requires that before any motion is filed, the party must seek concurrence from the other side.

SO ORDERED.

Dated: 7-15-11
Detroit, Michigan



PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE